

Mark C. Hardee #6-4137
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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING**

UNITED STATES OF AMERICA

Plaintiff,

vs.

CHRISTOPHER CHARLES BAKER

Defendant.

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No. 1:23-cr-31-ABJ

DEFENDANT'S PROPOSED VOIR DIRE QUESTIONS

COMES NOW, The Defendant, Christopher Charles Baker, by and through his counsel, Mark C. Hardee and does respectfully requests the Court propound to the jury the following voir dire questions:

1. Are you, or to your knowledge, are any of your immediate family personally acquainted with, or related in any manner, to AUSA Jacobson or her family or any member of the United States Attorney's office.

a. If any juror gives an affirmative response, please inquire whether it is the juror or a member of the juror's family who is personally acquainted with any of the above listed persons;

b. The identity of the person they are acquainted with;

c. The extent and nature of the acquaintance;

d. Thorough examination is requested to make certain that the acquaintance will not affect the juror's consideration of the case;

e. It is respectfully requested that if any of the jurors begin to make a statement either for or against an attorney that the remainder of the voir dire in this area be conducted individually outside the presence of the rest of the jury panel.

2. Is any juror personally acquainted with or related to Mr. Hardee, the attorney for Christopher Charles Baker;

a. If any juror gives an affirmative response, please inquire whether it is the juror or a member of the juror's family who is personally acquainted with any of the above listed persons;

b. The identity of the person they are acquainted with;

c. The extent and nature of the acquaintance;

d. Thorough examination is requested to make certain that the acquaintance will not affect the juror's consideration of the case;

e. It is respectfully requested that if any of the jurors begin to make a statement either for or against an attorney that the remainder of the voir dire in this area be conducted individually outside the presence of the rest of the jury panel.

3. Are you, or is any member of your family employed by the United States Government, the State of Wyoming or any local government entity?

4. Are you personally acquainted with anyone who is employed by any federal law enforcement agency, State of Wyoming law enforcement agency, or the federal government or the federal court system, and if so, who is that person and what is the nature of your relationship?

5. Are you now or have you ever been employed by a law enforcement agency, and if so, where were you employed and in what capacity?

6. Have you heard about this case and if so, what have you heard and where did you hear it? This should be done individually and outside the presence of the jury panel.

7. Have you or any members of your family or friend ever been charged with a serious criminal offense, i.e. More than a traffic citation? If your answer is in the affirmative, please respond to the following: Would your feelings and past experiences interfere with your ability to render a fair and impartial decision in this matter?

8. The Court will instruct you at the end of the case on certain legal matters. Is there anyone on this jury that would have a problem following the law as the Court gives it to you even though you may not agree with the law?

9. Will any of you as jurors refuse to decide the case on the evidence introduced at trial, the exhibits introduced and the instructions of the Court regardless of whether or not you may have other information; that is, do you agree to decide this case solely on what you hear in the courtroom?

10. Would any of you change your verdict if the majority of the other jurors believed that a person was guilty and you were in the minority?

11. Would the fact that you were in the minority make you feel under pressure or influence your vote at all?

12. Have you had any prior jury duty? If so, please advise as to what type of case, criminal or civil, and the nature of the case?

13. Have any of you ever served on a Grand Jury?

14. Could you find for the Defendant in this case if the Government has not proven his guilt beyond a reasonable doubt?

15. Do you believe that because the Defendant is before the Court and charged with a crime that mere fact means he must have committed some violation of the law?

16. Do you agree with the principle that the Government has the burden of proving the Defendant's guilt beyond a reasonable doubt and that if you were to decide the Defendant's guilt

or innocence at this moment you would have to find him not guilty because no evidence has yet been presented?

17. Do you consider the fact that Christopher Charles Baker, is the defendant in this matter that he must be guilty or else he would not be here?

18. Do you have any belief at this time as to the guilt or innocence of Christopher Charles Baker?

19. Do any of you, as a member of the jury, disagree with that principle of American Law which states that a defendant charged with a crime is presumed to be innocent until proven guilty?

20. Does everyone understand the burden of proof is always on the government and that it never shifts to the accused? Is there anyone who disagrees with this principle?

21. If for any reason Christopher Charles Baker did not testify or did not produce any witnesses to testify on his behalf, would you conclude he is guilty?

22. Do you have the opinion that a police officer or other law enforcement officers are to uphold law and order and therefore any of their actions are justified?

23. Would you give extra credence to a police officer or law enforcement officers testimony merely because he or she is a law enforcement officer and for no other reason?

a. If so, would it be difficult for you to cast aside the built-in prejudgment you have regarding police officers and their testimony?

24. Have any of you ever been the victim of crime? If so, was anyone charged for the crime? Did you have to testify? Were you satisfied with the way the system operated?

25. Have any of you studied law? Do any of you have any relatives or friends who are lawyers or employed by lawyers?

26. Is there any reason why you feel you could not be a fair and impartial juror in this case

and give the United States and Christopher Charles Baker a fair and impartial trial?

27. Do any of you have any health, sight, hearing or emotional problems which may affect your service as a juror?

28. Do you have any philosophical, moral or religious beliefs that would interfere with your ability to fairly and impartially determine another person's guilt or innocence?

29. Have any of you or your loved ones or close friends ever been charged with a crime involving illegal drugs or been a victim of such a crime?

30. Do any of you have problems with the concept that there will be considerable argument over the admissibility of evidence and will you believe that the Defendant is guilty of the crimes charged if he is attempting to prevent the introduction of certain evidence?

31. Do any of you have problems with the concept that there are rules of evidence and that Judges and lawyers differ as to what they believe that the rules of evidence are, and that it is the obligation, moral responsibility and constitutional duty of a criminal defense lawyer to prevent the introduction of evidence that he feels to be constitutionally suspect and not because of the guilt or innocence of his client.

32. It may become evident that there were prior proceedings involving Christopher Charles Baker where sworn testimony was introduced. Will you promise that Court not to speculate as to why there were prior proceedings and what the outcome was?

Respectfully submitted this 3rd day of October, 2023.

CHRISTOPHER CHARLES BAKER
BY

/s/Mark Hardee
Mark C. Hardee #6-4137

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CERTIFICATE OF SERVICE

I, Mark Hardee, do hereby certify that a true and correct copy of the foregoing document has been forwarded to Kerry Jacobson, Asst U.S. Attorney, via the Court's electronic filing system, on the 3rd day of October, 2023.

/s/ Mark Hardee
Mark C. Hardee Law Office, P.C.